

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

OCT 11 2012

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERK

CLAUDIA A. DE GONZALEZ,
Individually and on behalf of Others
Similarly Situated,

Plaintiffs,

V.

ALAVEN PHARMACEUTICALS, LLC,

Defendant.

CIVIL ACTION NO 5:10-CV-00958FB

ORDER LIFTING STAY AND DISMISSING PLAINTIFF'S FLSA CLAIMS

On this date, came for consideration parties' Joint Motion to Lift Stay and Joint Stipulation to dismiss Plaintiff's individual and collective class FLSA claims. Having considered said Motion and Stipulation, the Court is of the opinion that said motion should, in all things, be GRANTED. It is therefore

ORDERED, ADJUDGED, and DECREED that the Joint Motion to Lift Stay is GRANTED. It is further


ORDERED, ADJUDGED and DECREED that in light of the United States Supreme Court's decision in *Christopher v. Smithkline Beecham Corp.*, 132 S.Ct. 2156 (2012), Plaintiff's individual and collective class FLSA claims are DISMISSED with prejudice. It is further

ORDERED, ADJUDGED and DECREED that Plaintiff's remaining claims are not dismissed and the parties shall continue discovery on all outstanding claims. It is further

ORDERED, ADJUDGED and DECREED that the parties will submit a proposed amended scheduling order within 10 days of the date of this Order.

It is so ORDERED.

SIGNED and ENTERED this 11 day of October 2012.



UNITED STATES DISTRICT JUDGE
FRED BIERY, CHIEF JUDGE